

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 2071 - HB 2337**

April 2, 2009

**SUMMARY OF BILL:** Exempts from the provisions of the practice of nursing, a company that does not receive government reimbursement and performs adult daily living acts for private individuals. The company has to be properly bonded and insured; maintain a drug free workplace; require background checks for any employee who will be in the client's home; and has a signed waiver from the client or the client's attorney in fact.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – Not Significant**

Assumptions:

- The companies which meet the requirements of the bill will need to be licensed as home health agencies by the Board for Licensing Health Care Facilities. The number of companies that will receive this licensure is unknown but is estimated to be nominal. The licensure fee paid by the companies will cover the cost of processing the applications.
- Pursuant to Tenn. Code Ann. § 68-11-216, the Board for Licensing Health Care Facilities is required to be self-supporting over a two-year period. The Board had a negative closing balance of \$440,300 in FY06-07 and a negative closing balance of \$217,700 in FY07-08.
- The Board of Nursing will not incur any impact to revenue or expenditures for the exemptions of these companies from nursing regulations.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. In FY06-07, the Board of Nursing had a negative balance of \$1,394,690. In FY07-08, the Board had a negative balance of \$171,855. As of June 30, 2008, the Board had a cumulative positive balance of \$119,142.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml